

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Jose Victor REYNOSA

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Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 3, 2021 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:*Code Section*Title 8 United States Code, Section
1324*Offense Description*Did knowingly transport and move, attempt to transport and move, and
conspired to transport and move within the United States by means of
transportation and otherwise, an alien who had come to, entered, remained in
the United States in violation of law in furtherance of such violation, for the
purpose of commercial advantage and private financial gain.

This criminal complaint is based on these facts:

See attachment "A".

☒ Continued on the attached sheet.

/S/ Jacob Nissen*Complainant's signature*Submitted by reliable electronic
means per Fed.R.Crim.P. 4.1, Jacob Nissen
sworn to and signature attested
telephonically on February 4, 2021,
at Laredo, Texas.


DIANA SONG QUIROGA
UNITED STATES MAGISTRATE JUDGE

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ATTACHMENT A

1. On February 3, 2021, at approximately 7:00 a.m., Homeland Security Investigations (HSI) Special Agents (SAs) received a request for investigative assistance from United States Border Patrol (USBP) Agents (BPAs) at the Immigration Checkpoint located on Interstate Highway 35 (IH 35) mile marker 29 north of Laredo, Texas in Webb County and the Southern District of Texas in reference to a human smuggling event. HSI SAs responded to the USBP Checkpoint and conducted post arrest interviews. HSI SAs subsequently arrested Jose Victor REYNOSA and initiated an investigation for violations of Title 8, United States Code, Section 1324 (a)(1)(A)(ii) and (v)(I).
2. HSI SAs responded to the USBP Immigration Checkpoint at mile marker 29 on IH 35 and interviewed BPAs. BPAs stated at approximately 6:45 a.m., they were conducting primary inspection duties at the checkpoint when a red tractor (hereinafter referred to as the TRACTOR) hauling a box style trailer (hereinafter referred to as the TRAILER) approached for inspection. BPAs observed a male driver, later identified as Jose Victor REYNOSA, as the sole occupant in the cab of the TRACTOR. As BPAs conducted an immigration inspection of REYNOSA, a BPA Canine Handler utilizing his service canine conducted a free air sniff of the TRACTOR and TRAILER. The BPA Canine Handler advised BPAs that his service canine alerted to the presence of concealed narcotics or persons in the TRAILER. BPAs directed REYNOSA with the TRACTOR and TRAILER to the secondary area for further inspection.
3. While in the secondary inspection area, a BPA Canine Handler conducted a second free air sniff of the trailer utilizing his service canine and received a positive alert to the presence of concealed narcotics or persons in the TRAILER. BPAs removed an attached seal from the TRAILER doors and opened the TRAILER where BPAs then observed numerous subjects concealed inside the TRAILER. BPAs removed one hundred six (106) subjects from the TRAILER. BPAs conducted immigration inspections of the subjects found in the TRAILER and determined all subjects from inside the TRAILER were undocumented noncitizens (UDNCs) illegally present in the United States. REYNOSA and the UDNCs were subsequently detained at the checkpoint for processing.
4. Under *Miranda* rights advisement and waiver thereof, REYNOSA stated he has been a professional truck driver for approximately fifteen (15) years. REYNOSA stated he had been hired by an unidentified male subject (hereinafter referred to as UM1) to drive the TRACTOR and TRAILER for three hundred fifty US dollars (\$350 USD). REYNOSA stated he had met UM1 approximately three to four (3-4) weeks ago in Acuna, Coahuila, Mexico. REYNOSA stated he had never driven for UM1 before and had never driven tractors and trailers from Laredo, Texas before. REYNOSA stated on Monday (February 1, 2021), UM1 transported REYNOSA from Del Rio, Texas to Laredo, Texas where UM1 provided housing at a local hotel. REYNOSA stated he, UM1, and a second unidentified male subject (hereinafter referred to as UM2) stayed at the motel while repairs were being made on the TRACTOR.
5. REYNOSA stated on the morning of February 3, 2021, he was transported by UM1 and UM2 to an unknown residential area where the TRACTOR and TRAILER were parked near a junkyard. REYNOSA stated he did not conduct a pre-trip inspection as required and did not know what he was transporting or if the TRAILER was sealed. REYNOSA stated he noticed paperwork in the TRACTOR when he entered the cab but did not review or inspect the paperwork as he was being pressured to leave by UM1 and UM2. REYNOSA stated he was directed to drive to San Antonio, Texas to drop off the TRAILER and retrieve a second trailer. REYNOSA stated he did not know

the address and claimed UM1 or UM2 was to provide the delivery address after he got closer to San Antonio. REYNOSA stated during the drive he received telephone calls from UM1 and UM2 to hurry up and stop driving slowly. REYNOSA stated he was driving approximately fifty-five to sixty (55-60) miles per hour on the drive. REYNOSA did not provide any further details about the event, subjects involved, or locations.

6. Interviews were conducted of the UDNCs. The following three (3) individuals were held as material witnesses to the human smuggling event: Santos Marcos MARTINEZ, Victor JASSO Olvera, and Rodolfo CONTRERAS Lopez. All material witnesses are Mexican nationals who admitted to illegally entering the United States by crossing the Rio Grande River, at various times, to be smuggled to various cities within the United States for various amounts of money. All material witnesses stated unknown smugglers loaded them into the TRAILER in which they were later apprehended.